

FILED
GARY J. HARRISON
CLERK, SUPERIOR COURT

IN PIMA COUNTY SUPERIOR COURT

2019 JAN -7 AM 9:00

AFFIDAVIT FOR SEARCH WARRANT

D. WANDELL, DEPUTY
19SV0032

YOUR AFFIANT, **Special Agent Cullen Conerly**, A PEACE OFFICER IN THE STATE OF ARIZONA AND EMPLOYED BY THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION, BEING FIRST DULY SWORN, UPON OATH, DESPOSES AND SAYS:

That on or about the 9th day of July 2018, and continuing through on or about the 27th day of August 2018, a public offense in violation of Arizona Revised Statutes:

- A.R.S. 13-3407(A)(2), Possession of a Dangerous Drug for Sale, a class 2 felony, was or is being committed in the County of Cochise, State of Arizona.

YOUR AFFIANT (has probable cause to believe) that:

{X} on the person(s) of:

- Craig Steven SYLVERS, DOB 05/23/1959, 6'0", 195 pounds, Brown hair, Brown eyes, SSN [REDACTED]-7239

{X} in and upon the premises (including all buildings, structures, rooms, equipment, and vehicles used in connection or located within the curtilage of said premises) known and described as:

- 325 North Martha Lane, Sierra Vista, Arizona 85635 is a tan single story brick construction residence. The black front security door faces west and the numbers "325" are affixed to the bottom of the mailbox in black block-style lettering. There is a carport on the north side of the residence and a security camera pointed west that is affixed to the roof on the south side of the residence. The residence has a wooden fence

approximately five feet in height surrounding the property. 325 North Martha Lane is the third residence South of East Reese Blvd. on the west side of North Martha Lane. *SEE

ATTACHMENT B*

19SW0032

{ } in vehicle(s) described as:

there is certain person (s), property or things

{ } is the subject of an outstanding arrest warrant and/or is wanted for the above mentioned charges

{ } Which are stolen or embezzled

{X} Which were used as means for committing a public offense

{X} Which are being possessed with intent to use as a means of committing a public offense

{ } Which are in the possession of to whom it was delivered for the purpose of concealing it or preventing it from being discovered

{X} which consists of any item or constitutes any evidence which tends to show that a public offense has been committed such as being more fully described in the affidavit.

That said property or things are described as follows:

"SEE ATTACHMENT A"

That the following facts establish probable cause for believing that grounds for the issuance of a search warrant for the aforementioned items/persons exists:

Since January, 2018, Special Agents from the Drug Enforcement Administration Sierra Vista Resident Office have been working a joint investigation with the Cochise County Sheriff's Office and the Arizona Department of Public Safety (DPS). On July 2, 2018, agents obtained Pima County Superior Court Order 18-WT-0001 authorizing the interception of wire communications to and from (520) 220-9360 (Target Telephone One or TT-1) used by Timothy HENRY. HENRY was identified as a

methamphetamine source of supply operating out of Sierra Vista, Arizona. During the period of TT-1's interception from July 2, 2018, through August 29, 2018, investigators identified Craig SYLVERS as one of the top contacts of HENRY and the user of phone number (520) 234-7068. Investigators submitted an administrative subpoena to Sprint which showed that (520) 234-7068 was activated on December 4, 2017, and is subscribed to Craig SYLVERS with an address of 325 N Martha Ln., Sierra Vista, Arizona 85635.

Agents are aware from the course of the investigation that HENRY is predominantly a distributor of methamphetamine. SYLVERS consistently contacted HENRY every few days to inform HENRY that he had money for him. SYLVERS' pattern of phone contact with HENRY is consistent with the patterns of phone contact agents identified other retail methamphetamine dealers used when contacting HENRY to obtain additional methamphetamine. HENRY and SYLVERS took great care in ensuring that they never texted what exactly the money was for or what SYLVERS was picking up from HENRY. For example, on July 20, 2018, at approximately 9:36 p.m., reference TT-1 call session 3590, SYLVERS sent HENRY a text message which read, "I've got the rest of that." On July 21, 2018, at approximately 12:13 a.m., reference call session 3624, HENRY replied, "Want me to bring more," to which SYLVERS replied, reference call session 3626, "Please." On the same date, at approximately 5:20 p.m., reference call session 3769, SYLVERS sent HENRY an additional text message which read, "If u want to stop by I have \$." Your Affiant believes this pattern of activity shows that SYLVERS was able to sell methamphetamine he was previously fronted by HENRY and contacted HENRY to return the money. HENRY replied by asking SYLVERS if he wanted more, to which SYLVERS agreed. By 5:20 p.m. the same day SYLVERS was able to sell the rest of the product HENRY brought and once again had money for HENRY. The call sessions on July 20 and July 21 are just one example of the pattern of phone activity that was consistently intercepted between HENRY and SYLVERS throughout the duration of the interception of TT-1.

On August 13, 2018, reference TT-1 call sessions 9562, 9565, 9569, 9573, and 9575, SYLVERS and HENRY arranged to meet at HENRY's residence. At approximately 2:05 p.m., SYLVERS sent HENRY

a text message which read, "Hey can you come by I got \$" to which HENRY replied, "You can come here." Agents observed a pole camera monitoring HENRY's residence and at approximately 2:38 p.m. observed a black Harley-Davidson motorcycle arrive and park in front of HENRY's residence. Agents observed the rider of the motorcycle, who was wearing a light colored shirt and blue jeans, step off of the motorcycle and walk towards HENRY's front gate. Shortly after, the rider returned to the motorcycle and left HENRY's residence. On the same date, at approximately 2:41 p.m., SYLVERS sent HENRY a text message which read, "The gate is lock" to which HENRY replied, "Come back." Agents reviewed the pole camera footage and observed the same black Harley-Davidson motorcycle park in front of HENRY's residence. The Harley-Davidson motorcycle had two black cushioned seats, a glass windshield, and a silver square-shaped emblem on the side under the front seat, as well as an additional emblem on the side of the gas tank. The frame, seats, and emblems on the bike were consistent with that of a 1998 Harley-Davidson FXDWG. It should be noted that SYLVERS is the registered owner of a 1998 Harley-Davidson FXDWG bearing Arizona license plate MCM31L. At approximately 2:56 p.m., agents observed the same male in the light colored shirt and blue jeans, whom agents recognized to be SYLVERS, return to the motorcycle parked in front of HENRY's residence. Agents observed that SYLERS had a cellophane bag in his right hand as he stepped onto the motorcycle and departed the residence. Your Affiant is aware from his training and experience that cellophane bags are commonly used to package methamphetamine.

On August 27, 2018, investigators conducted surveillance of SYLVERS' residence, located at 325 N Martha Lane, Sierra Vista, Arizona 85635. SYLVERS' residence is located approximately .3 miles from HENRY's residence in Sierra Vista, Arizona. At approximately 10:00 a.m., investigators observed a gold Chevrolet Cavalier, bearing Arizona license plate 202EPY, parked at 325 Martha Ln. The Cavalier was registered to Charlie CORNETT with an address of P.O. Box 12334, Fort Huachuca, Arizona 85670. Investigators were aware that the same gold Cavalier was involved in recent drug arrests of Cierra BREWER, reference CCSO case DR 18-16902 in which 1.2 grams of methamphetamine and drug paraphernalia were seized and case DR-18-08259 in which .8 grams of cocaine and .4 grams of methamphetamine were seized. At 325 N Martha Ln., investigators also observed a black

Toyota 4Runner with a light bar above the windshield backed into the driveway. Investigators have previously observed, via pole camera, the same Toyota 4Runner parked at HENRY's residence and are aware that SYLVERS is the registered owner of a 2007 Toyota 4Runner. At approximately 10:52 a.m., investigators observed the gold Cavalier leave Martha Ln. and drive to 816 Charles Dr., an address related to CORNETT, the registered owner of the vehicle.

On the same date, at approximately 12:44 p.m., investigators observed a subject known from previous contacts as Calvin ANDERSON get dropped off by Joyce ANDERSON near the intersection of Reese Blvd. and Schrader Rd. Investigators were aware that the ANDERSONs live at nearby 532 Schrader Rd. Investigators observed Calvin ANDERSON walking in the direction of 325 Martha Ln. Investigators observed Calvin ANDERSON walk into the residence at 325 N Martha Ln. At approximately 12:55 p.m., investigators observed Calvin ANDERSON exit the house and walk eastbound on Reese Blvd. Due to Calvin ANDERSON not wanting to be dropped off directly in front of 325 Martha Ln. and the short duration Calvin ANDERSON was inside the residence, your Affiant believes that Calvin ANDERSON was conducting a drug deal.

On the same date, at approximately 3:08 p.m., investigators observed the black Toyota 4Runner leave 325 Martha Ln. Investigators positively identified SYLVERS as the driver of the 4Runner via his Arizona driver's license photograph.

Your Affiant knows, from prior training and experience in investigating drug crimes, that the aforementioned facts and circumstances show that SYLVERS is actively engaged in the sales of methamphetamine. Further, your Affiant knows that a person who sells methamphetamine typically is engaged in the sales or use of other illicit drugs, to include but not limited to Marijuana, Cocaine, and/or Heroin. Further, your Affiant knows that persons who engage in illegal sales or use of illegal drugs often possess firearms in which are utilized to protect their drugs and proceeds from persons who wish to forcefully steal from the drug dealer. Your Affiant believes that the pattern of phone contact and the physical surveillance investigators conducted of SYLVERS' residence shows that SYLVERS is

obtaining "for sale" amounts of methamphetamine from HENRY on a consistent basis. Your Affiant further knows that "fronting" is a common practice that drug dealers use to move their product and receive money at a later time, and SYLVERS' pattern of contact with HENRY reveals a pattern of behavior consistent with the "fronting" of methamphetamine.

Your Affiant believes there is just and probable cause that SYLVERS possesses items of evidentiary value inside 325 North Martha Ln., Sierra Vista, Arizona as listed above, that proves he is indeed engaged in the sales of methamphetamine. Your Affiant believes that SYLVERS currently resides at 325 North Martha Ln. and that there will be additional information pertaining to SYLVERS' involvement with HENRY's drug trafficking activities inside the residence.

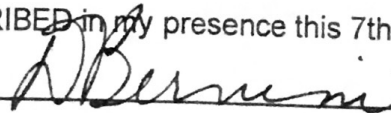
Your Affiant requests a daytime warrant be granted for Craig SYLVERS, DOB 05/23/1959, 325 North Martha Ln., Sierra Vista, Arizona 85635, and all buildings and vehicles found within the curtilage of the property. Your Affiant requests a search warrant be issued commanding a search be made of the persons, premises, buildings, and vehicles described herein for the property, persons and things herein described, and the same be retained in the custody of the Affiant or in the custody of the agency which the Affiant represents and disposed of according to law, pursuant to A.R.S. 13-3920.



Special Agent Cullen Conerly

Peace Officer for the State of Arizona

SWORN TO AND SUBSCRIBED in my presence this 7th Day of January, 2019



Honorable Judge Deborah Bernini

Pima County Superior Court